

M I N U T E S
LEXINGTON COUNTY COUNCIL
January 24, 2012

Lexington County Council held its meeting on Tuesday, January 24, 2012 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Councilman Cullum gave the invocation and Councilman Matthews led the Pledge of Allegiance.

Members attending:	William B. Banning, Sr.	Johnny W. Jeffcoat
	James E. Kinard, Jr.	Frank J. Townsend, III
	George H. (Smokey) Davis	Debra B. Summers
	Bobby C. Keisler	Kenneth Brad Matthews
	M. Todd Cullum	

Also attending: Joe Mergo, III, Interim Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; John Fechtel, Director of Public Works/Assistant County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Chairman's Report - Mr. Banning reported he has been extremely busy the past couple of weeks in bringing the new Chairman of Economic Development, Councilman Jeffcoat, up-to-date on items he has been working on.

Administrator's Report - Shining Stars - Mr. Mergo recognized the following employees for their positive can-do attitude and helpful approach when interacting with others and presented each with an engraved acrylic "Shining Star." Nathaniel Collins, Rob Oswalt, and Ben Booth, Sheriff's Department; Philip Hill, Building Services; Susan Cockrell, Treasurer; Christy Mayo, Connie Jo Molen, and Mona Rogers, Auditor's Office.

Employee Recognition - Joe Mergo, III, Interim County Administrator - Mr. Mergo recognized Andrew Bigony, Manager of Records Management, who was unanimously re-elected for a third term as President of the South Carolina Public Records Association (SCPRA).

Point of Privilege - As a point of privilege, Mr. Davis announced the Lexington County Museum is having a fundraiser on Saturday, January 28 to raise funds for the Friends of the Lexington County Museum. The theme of the fundraiser is "Memories of Lexington's Old Mill."

Resolutions - Arjun Aggarwal and Chapin High School Varsity Cheerleaders - Mr. Jeffcoat made a motion, seconded by Mr. Kinard to approve the resolutions.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Jeffcoat
	Mr. Kinard	Mr. Townsend
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Matthews
	Mr. Cullum	

Appointments - Stormwater Advisory Board - Robert T. Blackwell, Walter L. “Tripp” Hunter, III; R. Hugh Caldwell - Mr. Cullum made a motion, seconded by Mr. Matthews to reappoint the following to the Stormwater Advisory Board: Engineering - Robert T. Blackwell; Contractor - Walter L. “Tripp” Hunter, III; and Environment Steward - R. Hugh Caldwell.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Matthews	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	

Central Midlands Council of Governments (COG) - Joe M. Mergo, III - Mr. Cullum made a motion, seconded by Mr. Kinard to appoint Mr. Mergo to replace Katherine Hubbard.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Kinard	Mr. Townsend
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Matthews	

Bids/Purchases/RFPs - A motion was made by Mr. Keisler, seconded by Mr. Townsend to approve the following Bids/Purchases/RFPs (Tabs L, M. and N).

Grounds Beautification Project for the Administration Building and Judicial Center - Building Services - Competitive bids were solicited for the grounds beautification project for the Administration Building and Judicial Center. Five (5) bids and three (3) no bids were received. Staff recommended the award of the bid to Ponyhill Nursery & Landscaping for a bid amount of \$108,890.

Sunset Drive Sidewalk Improvements - Public Works - Competitive bids were solicited for sidewalks located on Sunset Drive. The project consists of providing all materials, equipment, and labor for installing curb, gutter, and concrete sidewalk of approximately 550 LF. Three (3) bids were received. Staff recommended the award of the project to AOS Specialty Contractors, Inc. for a total of \$28,981.75.

Request for Approval to Utilize the Competitive Sealed Proposal Process for the Acquisition of a Validated Physical Readiness Standards Contract - Staff requested the use of the Request for Proposals (RFP) process to seek competitive proposals from potential qualified respondents for the acquisition of a Validated Physical Readiness Standards contract. Due to the scope of the project, it is not practical or advantageous to write a comprehensive set of specifications that may limit resources or

restrict competition. A review panel will be responsible for reviewing and evaluating proposals based upon specific evaluation factors.

Mr. Banning opened the meeting for discussion.

Mr. Cullum asked if the Validated Physical Readiness Standards is a new program that the Sheriff's Department will be implementing.

Chief Keith Kirchner responded, yes.

Mr. Banning called for further discussion; none occurred.

In Favor:	Mr. Banning	Mr. Keisler
	Mr. Townsend	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Jeffcoat	Mr. Matthews
	Mr. Cullum	

Approval of Minutes - Meeting of November 08, 2011 - Mr. Jeffcoat made a motion, seconded by Ms. Summers to approve the minutes as submitted.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Jeffcoat
	Ms. Summers	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Mr. Keisler	Mr. Matthews
	Mr. Cullum	

Committee Reports - Public Works & Solid Waste Management, T. Cullum, Chairman - 2011 NPDES Annual Report - Public Works - Synithia Williams, Environmental Coordinator - Mr. Cullum reported during the earlier committee meeting, Ms. Williams presented an overview of the proposed 2011 NPDES Annual Report to be submitted to DHEC. The Committee voted unanimously in favor to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Davis to allow staff to submit the report.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Davis	Mr. Kinard
	Mr. Townsend	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Matthews	

Reserve at Lake Murray - Mr. Cullum reported the Public Works Committee met on Tuesday, January 10, 2012, to review Public Works' request for C-Funds for the Reserve at Lake Murray. The following is the Committee Report:

Mr. Fechtel presented a request for C-Funds to complete the paving of the Lake Murray Reserve subdivision. The bond for the subdivision was pulled by the County's Stormwater Department due to the developer going bankrupt. Staff outlined two cost options: (1) Using outside Contractors at an estimated cost of \$49,700 or (2) Using in-house staff and specialized contractors for an estimated cost of \$46,600. Staff recommended using in-house staff and appropriating \$19,100 from C-Funds Unclassified Account 2700-121300-539900 to complete the project.

The Committee voted unanimously in favor to recommend to full Council to approve staff's recommendation to use in-house staff and to appropriate \$19,100 from C-Funds to complete the project.

Mr. Cullum made a motion, seconded by Mr. Townsend to approve staff's recommendation to use \$19,100 from "C- funds to complete the project.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Townsend	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Matthews	

FY 12 PalmettoPride Community Pride Grant Award - Also, the Committee received information regarding the FY 12 PalmettoPride Community Pride grant award. The funds from the grant will be used to enhance the aesthetics of the parking area of the Cayce-West Columbia Library. The award in the amount of \$4,500 requires no County match. The Committee voted unanimously in favor to recommend to full Council to accept the award.

Mr. Cullum made a motion, seconded by Mr. Matthews to approve staff's request to accept the grant award.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Matthews	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	

Economic Development, J. Jeffcoat, Chairman - Ordinance 11-19 - Ordinance Authorizing (1) Fee-in-Lieu Between Lex. Cty. and Nephron Pharm., (2) Negotiated Fees in Lieu of Ad Valorem Taxes, (3) SSC, (4) Multi-County Park, (5) Transfer & Conveyance of Property, and (6) Other Matters – 2nd Reading - Mr. Jeffcoat asked Council to postpone taking action until the next meeting to allow the attorneys time to work out the details.

Health & Human Services, B. Matthews, Chairman - Fire Service Advancement Plan - Public Safety/Fire Service - Mr. Matthews reported the Committee met earlier in the day and received a presentation from Chief Cox on its Fire Service Advancement Plan. The plan involves the hiring of ten

new personnel in April, which will allow all stations to be staffed with a minimum of two personnel per station by the end of calendar year 2012 and delay the replacement of fire apparatus for the next five fiscal years through FY 2015/16. The Committed voted unanimously in favor to recommend to full Council for approval.

Mr. Matthews made a motion, seconded by Mr. Keisler to approve and support the plan as presented by Fire Chief Cox.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Matthews
	Mr. Keisler	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Ms. Summers	Mr. Jeffcoat
	Mr. Cullum	

Committee of the Whole, B. Banning, Sr., Chairman - Ordinance 12-02 - Property Maintenance Ordinance - 1st Reading - Mr. Banning reported the Committee discussed at length Ordinance 12-02 and voted in favor to recommend to full Council for approval first reading.

Prior to taking action on Ordinance 12-02, Mr. Banning related that the purpose of the ordinance is to address an issue that has been plaguing this council for many years. Mr. Banning said the Committee voted in favor in order to allow the ordinance to move forward for a public hearing to receive input from the community.

Mr. Matthews made a motion, seconded by Ms. Summers to approve first reading of Ordinance 12-02.

Mr. Banning opened the meeting for discussion.

Mr. Cullum reiterated this is an issue that Council has been faced with for quite some time, particularly in the unincorporated areas of the County. However, the proposed ordinance has nothing to do with the municipalities as they have the ability to set their own ordinance, but is for the unincorporated areas of the County.

Mr. Cullum did note that the Committee agreed that the ordinance is not on a fast track so to give Council members an opportunity to visit their neighborhoods for feedback since not everyone is able to attend Council meetings. Therefore, the public hearing will be delayed 45 to 60 days to allow Council members to visit their communities to receive comments. However, Mr. Cullum did encourage citizens to come to the public hearings so Council can gather additional feedback. Mr. Cullum said he could not support the current proposed ordinance as written, but with the help of staff and Council, we may be able to formulate an ordinance that does work.

Mr. Matthews said this Council as well as himself, who represent a more highly density area, receive certain calls more frequently than others and there is no “teeth” for the Code Enforcement Officers or homeowners’ association on certain situations. For the record, Mr. Matthews noted the proposed ordinance was not initiated by the Sheriff’s Department, but rather a request from Council and himself asking them to come up with a few ideas that could address the issue.

Mr. Jeffcoat said a number of things were brought up during the earlier committee meeting. But, one in particular, is the number of foreclosures. Because of foreclosures, we are seeing more and more of these homes that are not being taken care of so it is making an entire neighborhood look bad, which is a huge problem because the homeowner has moved and the bank hasn't taken possession of it so the place is unkempt. On the other hand, it is not fair for someone living in a home that can afford to take care of it, but doesn't.

Mr. Townsend said he understands there is a problem out there, but is against any type of ordinance that would impose government regulations on people's personal property rights. Mr. Townsend said he, like Mr. Banning, would rather see people come together to help one another.

In Favor:	Mr. Banning	Mr. Matthews
	Ms. Summers	Mr. Davis
	Mr. Jeffcoat	Mr. Cullum

Opposed:	Mr. Kinard	Mr. Townsend
	Mr. Keisler	

Budget Amendment Resolution - The following BARs were distributed and signed:

12-043A - An appropriation transfer of \$318,429 to revise BAR 12-043 that was processed on August 15, 2011.

12-083 - An appropriation transfer of \$225,000 and a supplemental appropriation decrease of \$225,000 to transfer contingency funds from the Economic Development budget to the Airport budget and establish a new budget for the airport property acquisition.

12-084 - A supplemental appropriation increase of \$20,000 from the sale of a tractor from Public Works to Flint Equipment.

12-085 - An appropriation transfer of \$2,825 and a supplemental appropriation increase of \$3,675 to purchase a \$6,500 service truck from Lexington County Fire Service for the Dive and Swift-Water Rescue Team. The service truck currently used by the Dive and Swift-Water Rescue Team is deadline and sold for \$2,825 and the LCSD Foundation is paying the difference of \$3,675.

12-086 - A supplemental appropriation increase of \$4,500 received from the PalmettoPride Grant award for the Cayce-West Columbia Library branch beautification project.

12-087 - A supplemental appropriation increase of \$4,000 from a contribution Public Works received to realign Park Road at Old Cherokee Road.

12-088 - A supplemental appropriation increase of \$9,464 to book the value of donated items the library received from the Friends of the Library.

12-090 - A supplemental appropriation increase of a \$336 donation received from Fred's Department Store to purchase fire detectors for citizens of Lexington County.

Old Business/New Business - None.

Executive Session/Legal Briefing - Mr. Banning reported Council needed to go into Executive Session to discuss six contractual and six legal matters.

Mr. Kinard made a motion, seconded by Ms. Summers to go into Executive Session.

In Favor:	Mr. Banning	Mr. Kinard
	Ms. Summers	Mr. Townsend
	Mr. Davis	Mr. Keisler
	Mr. Jeffcoat	Mr. Matthews
	Mr. Cullum	

6:00 P.M. - Public Hearings - Zoning Map Amendment M11-05 - The Palms at Rocky Point Phase II - Council members present: Kinard, Townsend, Davis, Summers, Keisler, Jeffcoat, Matthews, Cullum and Banning.

Prior to opening the public hearings, Mr. Banning reviewed the guidelines for public hearings.

Mr. Banning opened the public hearing.

Mr. Walt McPherson, Zoning Administrator with Community Development, presented information on Zoning Text Amendment T11-05. The applicant is Juanita Wright and the property owner is Palms Rocky Point II, LLC. The applicant has requested a change in zoning classification from Development (D) to High Density Residential (R3). Mr. McPherson reviewed the maps and area by using a Power Point presentation as well as the type of allowable activities in a Development (D) and High Density Residential (R3). Mr. McPherson showed a proposed plan from Mr. Cantwell and Ms. Wright of what they would like to do if the map amendment is successful. Currently, there is an approved bonded subdivision plat for Phase II for 25/26 detached units. The proposed plan consists of attached units, fourteen buildings containing four units per building.

Mr. Jeffcoat asked if the residences shown above Rocky Point will remain there.

Mr. McPherson responded, yes.

Mr. Jeffcoat asked if there were any residents in the audience who lived above Rocky Point that planned to speak because he would be interested in what they thought about the project.

Mr. Banning said he received several e-mails that indicated this project was going to be low-income housing and asked Mr. McPherson to elaborate.

Mr. McPherson said the applicant, Mr. Cantwell, approached him approximately a year ago about what they could do with the property. Then about two months, Mr. Cantwell came in and applied for this map amendment for townhouses.

Mr. Jeffcoat replied, no duplexes?

Mr. McPherson responded, no. And according to the applicant, they are not going to be rentals.

Mr. Cullum asked if there is currently water and sewer on the site.

Mr. McPherson said as far as he knows, there is.

Mr. Cullum asked if the project is approved, then the water and sewer would need to be expanded.

Mr. McPherson replied, yes, sir. If the map amendment is approved, it would have to go back through the Stormwater Department, Landscape, Zoning, etc. approval process since he is doubling the units.

Mr. Matthews mentioned he has only received one e-mail from Mr. McPherson regarding Rocky Palms and asked if that was the only one he had received.

Mr. McPherson responded, correct.

Mr. Cullum asked if County has accepted the roadway that is currently there or is it still the developer's responsibility.

Mr. McPherson replied, as far as he knows it is going to be a County-maintained road. It is in a bonded plat approval process and has not been finalized.

Mr. Cullum asked Mr. John Fechtel, Director of Public Works, to update Council on the status of the road. Specifically, has the County inspected it as being a completed project for the County to take over the road? How much of it needs to be completed? What is the bond amount on the current road for this project?

Mr. Banning opened the public hearing for those in favor of T11-05.

In Opposition:

Rob Gunning, 158 Rocky Point Dr., Columbia, SC 29212 - I am here this evening to share with you my thoughts on the proposed zoning change for application M11-05 pertaining to the Palms Phase II parcels from a designation of D to R3. My wife, Anne, and I have lived in Rocky Point for over 26 years. We love our street. It is a great place to raise our children, take casual walks or bike rides, and meet-and-greet our neighbors. Rocky Point Drive has been an oasis in midst of a typical population growth of urban sprawl. When we built our house on a 2 ½ acre lot on Rocky Point Drive, we were one of only 18 home sites on the road. At that time there was even a small sign that identified our collective homes as Rocky Point Acres. We have not seen many changes to our littler corner of the world. Even now 15 of the 18 homes on our street are owner-occupied. However, about ten years ago, one of our neighbors sold his five-acre lot to a developer who built a small subdivision designed for 26 homes in an area now called the Palms. To this date, there are only 16 homes built on those 26 lots, bringing our total community to only 34 homes. A few years later that same development company purchased another 6.1 acres on our road and designated that land for an additional 26 homes. Unfortunately, construction never began on those homes leaving the stripped and developed land barren and unsightly. It is now our understanding that with zoning change from D to R3, the developer is proposing 14 buildings with four dwellings in each building, adding a possible 56 homes on our street; nearly tripling the population in our community. One of the main concerns our community has always had has been the amount of traffic on our small dead-end street. Rocky Point Drive is only .7 miles long; very hilly with several curves, unless than standard pavement of gravel and tar maintained by the state. With the exception of the occasional filling of pot holes, there has been no improvements to our little country road. The road is approximately 50'

wide far short of the standards 62' for a road of similar traffic. With sharp drop-offs and many blind spots, avoiding an oncoming vehicle proves to be tricky at times. Currently, Rocky Point Drive has a street classification of local, which is suppose to support a density of eight dwellings/units per acre. In a nearby R3 zoned development, the streets surrounding the Yacht Cove are all classified as collector, able to handle a greater traffic flow. It would appear that the change of zoning for the parcels on Rocky Point Drive, the road must also be classified as collector. It is unlikely that the current condition of Rocky Point Drive will support a higher classification of the road. I beseech the council to deny the request to change the zoning of the Palms Phase II parcels to R3. Thank you.

Brando Stutts, 213 Rocky Point Dr., Columbia, SC 29212 - I have been a resident of this address for 20 years and the property has been in my family for over 40 years. Thank you for the opportunity to voice my concerns to you over these proposed changes. Rocky Point Drive is .7 of a mile long, 22' edge of pavement to edge of pavement, tar and gravel dead-end road. It is state maintained but in poor condition. According to the zoning layer on the Lexington County GIS, Rocky Point Drive is depicted as a local road and is accessed directly from Hwy. 6, North Lake Drive, which is designated as an arterial road. It does not have any painted lines, has two wide curves that limit the driver's view of ongoing traffic in either direction. The entrance in Phase II of the Palms is located between these two curves and does not appear to meet the line of site requirements. If the change is approved, it is not a question of if, but when an accident will occur. At best, it will be a traffic accident; at worse it may involve a pedestrian. Based on an average of two vehicles, 31 occupied residents of this community, there are approximately 62 vehicles that currently use Rocky Point Drive. Using the same average for the proposed 56 new dwellings, a minimum of 112 vehicles would be added, which represents an increase of approximately 180 percent to the existing traffic flow. Due to the increase wear on a road that was never designed for this amount of traffic, it would have to be widened and repaved at the expense of the taxpayers. In addition, this proposed change would impact the egress and ingress from Hwy. 6 onto North Lake Drive. It would cause traffic delays, potential accidents because there is not a traffic light to allow vehicles to safely access this busy state highway. It also has the potential to affect the access from employees and deliveries to the City of Columbia's water treatment facility. Many of the current residents, including children and seniors, regularly walk and bike along Rocky Point Drive. Being able to exercise on this road is an asset that directly contributes to the quality of life of the residents. The more than 100 percent increase in the number of residents, along with the 180 percent increase in traffic, is a real and valid threat. Ultimately, this decision is based on money; everybody in this room is aware of that. It is obvious that perhaps this investment has decreased in value. Like many of us in the room, the value of our investment has decreased during this recession. Our choices are to sale the loss or hold onto them until they increase in value. We don't have the option of asking for a regulatory change just because our investments did not perform. In the most basic form, it is up to you all to decide if the developer should be granted this change, which in essence is a bailout at the expense of the other residents' safety, quality of life, and property value. Thank you

William Davis, 239 Rocky Point Dr., Columbia, SC 29212 - I have lived there for about six years with my wife, Pattie. I've got a number of points to make so I will try to talk pretty fast. The first point I want to make, on behalf of all the residents who are here opposing this application, is that we are not anti-development. We are not saying that our community has to remain exactly the same. We recognize that change will occur and the best evidence of that is that we support what happened at Rocky Palms Phase I. We think it is wonderful, they did a great job, and we support what had been planned for Phase II within the current zoning guidelines. That was a good plan and we support it. We support the notion that the property owners are free to do what they want with their property within the rules. But, by the same token, those who rely on the current zoning designation do so because, as I am sure you know, the idea

behind zoning is that if you are going to invest in property, you should have the comfort of knowing that in general there is not going to be a radical change in your neighborhood. There will be change, yes, but not a radical change. Why do we have this? Why do we have zoning? Well, it is not an anti-business, not an anti-investment idea. The idea is that we are going to foster growth in an orderly way so that people do not have uncertainty. You know my stockbroker friends tell me that the reason the stock market goes down is that investors are uncertain and I submit the same is true with regard to real estate investment. People need to have certainty or some certainty about the area where they are going to be buying and that is why we have zoning. It fosters orderly growth that is good for everybody in the long run. I submit that what is being proposed is a radical change that is not appropriate for this area. They are proposing 14 quadraplexes, as it has already been said, 56 units. If you use the Census Bureau's average population per household of 3.14 that means an additional 176 people. We currently have about fifty people living on the streets, so we are talking about a 350 percent increase in people plus their cars, their boats, and their jet skis. Remember this is on the lake; it is right at the Columbia Water plant in a small cove. We are going to have pollution, boat traffic, etc. The other point I want to make is if you take the long view here, let's remember that this valuable property. These lots are going to sell eventually. These lots are close to Columbia; it is beautiful. It does not have to be turned into an apartment complex. I asked a commercial real estate developer friend of mine if apartment complexes appreciate at the same rate as single-family homes and he said, of course, not. He said look at where we lived back 35 years ago, does anybody want to live there now? So, if we take the long view, if this application is denied, the applicants are still going to have some very valuable property that can be developed very nicely and will be valuable. The owners will pay property taxes; it will appreciate over time. If this is approved, we are going to have apartment complexes that are not going to appreciate as rapidly and I submit over time will actually depreciate and will cause the rest of the neighborhoods to depreciate as well. Thank you.

Hiben Plexico, Jr., 234 Rocky Point Dr., Columbia, SC 29212 - Thank you for giving us this opportunity to object to this proposal. My wife and I live at 234. We are one of the "newbies"; we have only been there 19 years. This has been a great place. We moved away from Columbia because of R3 type investments there where the property owners that had built the properties started renting them all out. We got transients; it became unsafe. I had to move my car to the backyard to park to leave town. When we got here, life is great. We don't have those problems; we don't want those problems. My fear is if it goes to R3, you are not going to have one owner for each condominium home. They will be rented out; we will see the same problem. I agree with what the previous speakers have said in that we moved here for a reason and that was because it was single-family development. We have supported what has gone on in the past with the single-family development on the other side of the road. Don't disagree with what is there now for single family. But, it needs to be single family to maintain the quality of life that we have got now and what we want to see continue down the road.

Beverly W. Heles, 201 Rocky Point Dr., Columbia, SC 29212 - My mother and I own the property at 201 Rocky Point Dr., right next door to Phase I of the Palms development. My parents bought that property and built our house in 1950 so we have been on Rocky Point Drive for 62 years. Being one of the first homes in the Rocky Point Acres, we have always enjoyed the privacy of our quiet neighborhood. First, I would like to say that I am in complete agreement with my neighbors who are opposed to this zoning change requested by Juanita Wright. Most of the objections they are voicing are mine as well. So, I hope I won't appear redundant. When the Palms development first began, we all accepted in good faith Ms. Wright's promise that her development would be single family and within the guidelines of the zoning classification of D. And she did keep that promise in Phase I. However, that being said, it was simply not fair or just to now put the neighborhood in the position of having to accept the change of high density residential. This type of spot-zoning change will decrease the value of the property of those of us

who were there long before Phase I of the Palms was built. It will also decrease the property value of Phase I as well. Also, the change would set a precedent for further high density development and to quote one of my neighbors "our little oasis from urban sprawl will be gone." Those of us who live outside the Palms development enjoy and value the privacy we presently have. Finally, I cannot understand the necessity for the zoning change. I am under the impression that there is already a plan approved and infrastructure in place for single-family homes for Phase II. It is puzzling why anyone would want to start over. Thank you very much.

Leigh Pound, 217 Rocky Point Dr., Columbia, SC 29212 - I live at 1109 Dominion Hills Trail, Columbia, SC 29209. My home, however, is also on 217 Rocky Point Drive. My grandfather purchased this property in 1948 from Archie McLemore and built our home around a train work car that was given to him by the Union Railroad Station. He built this home for his family as a getaway from the city, even in the 1940s. He was one of a few men that had a single-family home on this dead-end dirt road once stubbed Rocky Point Acres. My mother often told me the stories of growing up on the lake and enjoying the solitude of the area; I am sure you can imagine. As my sisters, my brother and cousins and I grew up, we would look forward to our grandparents taking us out to the lake, no matter the season. After I was married, I purchased the property from my mother and my husband and I moved to Rocky Point with our two small children and lived in the house for many years. We now do as our grandfather did – we go out there on the weekends; we go out there during the summer just as a getaway from the busy life of this 21st century. Not only do we enjoy the water life, but we also enjoy having the children ride their bikes up and down the road as we walk the dogs. The entrance alone at Palms II is already a concern for me as it is not even used at its full potential at this time. But, there is a lot of traffic. I question whether or not the line of site requirements have been met as the entrance is just seen as you come around the bend. My understanding for this driveway that it must be a 100 feet per every 10 mph and right before you get to the bend, the speed limit drops from 35 to 30 and it is 300 feet and the height would be 4 ½ feet. I have driven and walked this road many times and I question the distance as there is a curve at the top of the hill. Even if the driveway has met the requirements, the high volume of traffic coming in and out of the parking lot is a real safety concern. Over the past 64 years Rocky Point Acres has seen many changes in developments. However, the one standard that has held true, whether it is a weekend mobile home or a year-round residence, that is a single-family environment. The winding hilly road still has the families walking with their children and their dogs, and I am concerned that changing the development to R3 would forever change the makeup of the area. Once you open the door to allow someone to change to a R3, it won't stop other people, like we have other neighbors with larger acreage, and if their families can't sell, they may decide to make this an R3. And if you have opened that door, you cannot shut it and it will forever change what this road was intended to be. Families purchased and live out on Rocky Point Road for the solitude, for the single family and for the safety. I will end this by saying that I, too, agree with my neighbors who oppose this. I hit on some points, but they will hit on many others. Thank you.

Kim Stutts, 213 Rocky Point Dr., Columbia, SC 29212 - Prior to speaking a packet of pictures were presented to Council. I have lived there for approximately twenty years. I walk Rocky Point Dr. every day so I want it to give you a perspective view of Rocky Point Drive from what it is like when you are walking the street. (Ms. Stutts was referencing pictures during her discussion). This is approaching the neighborhoods heading west from the water treatment plant down Rocky Point Drive toward the development of the Palms. It is a dead-end road. As you see, you will see the driveway of the first residence on the road and you will see it goes around the curve. You can't see what is beyond the curve. The second picture is approaching Palms Phase I, which is on the left side and it is also part of that blind curve and from that picture it is approximately 300 feet from the entrance to Phase I of the Palms. The third picture is approaching Palms Phase I where the boat storage is on the right and you are still on that

blind curve. The fourth picture is a view from the entrance of Phase I looking back up the road headed back out toward the water treatment plant. And as you can see, that is that curve that I am talking about that is coming down the hill, and again, it barely reaches 300 feet for your view. So the neighbors who live in Palms Phase I, every time they pull out of their driveway, they've got to be extremely careful. The bottom picture in the middle is looking toward the left out of Phase I headed west toward the end of Rocky Point and the two pictures in the center are looking out from Phase II. If you will notice the curve that goes up and around, that is going to the other homes that are on the end of the road. If you look at picture nine in your packet, it is looking east on Rocky Point Drive toward the Palms Phase I & II, but it is a double-S curve, if you will notice that road. When I am leaving my house taking my children to school or on my walks, I have to be extremely careful on that portion of the road. Because, just like a quarterback needs somebody to watch out for him, there is nobody out there looking – because traffic is not obeying the speed limit always and there is nobody out there looking for the pedestrian. So, I feel like it is your responsibility as council members, not only to protect the homeowners and the residents, but the people who use this road on a daily basis. We are out walking; we are out taking our children to and from school and it is extremely dangerous as it is. To add anymore traffic to this particular street would be an endangerment to all of us and I would request that you deny their request for rezoning. Thank you.

Reggie Belcher, 111 Royal Palm Blvd., Columbia, SC 29212 - I live inside of Palms Development in Phase I. I live there with my wife, Virginia, who is here with me tonight. We support and affirm the prior comments in opposition to this project that the residents of Rocky Point have expressed here to you tonight. We bought our home in the Palms six years ago because of the character of the neighborhood. It was promised to us under the terms and conditions of our purchase that our neighborhood would be comprised strictly and exclusively of 52 single-family homes and that we would pay annual homeowners' association dues to maintain the common areas, which would include a boat storage facility, a shared dock, a shared boat launch, a community club house, and a pool. Our neighborhood is so small that you saw the pictures of our club house; it has 12 parking spots. We have 16 homes in our community right now. With just 16 single-family homes our boat storage facility is already two-thirds full. This proposed change would radically alter the character of our small neighborhood. This rezoning would radically alter the terms and conditions under which my wife and I purchased our home six years ago from these same developers who created those same terms and conditions. The same terms and conditions that they now seek to change. This proposal would radically and negatively affect our existing home values in the Palms of Rocky Point. This proposal would radically increase traffic flow on Rocky Point and the usage of the small cove that we enjoy within our neighborhood, that again, only has one shared community dock and one boat launch. As someone else mentioned, this rezoning favors only these for-profit developers who do not live and have no long-term commitment in our community. Once the deal is done, they are gone and we are left to face the consequences. They enjoyed the revenues and profits from this business venture during the height of the real estate boom. But, the County should not essentially spread their potential losses to the residents of the Palms, the residents of Rocky Point, and the taxpayers of Lexington County who have to maintain the road. We want the County to require these developers to follow and abide by the original design and construction plans of our neighborhood that they proposed and created and used to entice us and persuade us to buy our home there. We oppose this really unprecedented rezoning application because of its long-term adverse and negative impact on the character of our neighborhood, the public safety of those who use Rocky Point Drive and the small cove in our neighborhood and to protect the values of our homes. My wife and I respectfully request that the County deny this application and hold these developers to the terms and conditions which, again, they proposed and created and upon which we all agreed to six years ago. Thank you.

John Welch, 303 Dryden Ln., Columbia, SC 29212 - For most of my adult life I have had the privilege to visit with the Woodberry family of 201 Rocky Point Drive. In the recent years, I have had the good fortune of using Rocky Point as a place to walk daily. As I leave the driveway and walk down the paving on the side facing traffic, I notice that everybody does do a good job of taking care of their yards and have improved them but, there a few yards that are overgrown. As I am walking along, just yesterday, somebody stopped me. It was a realtor and she introduced herself and wanted to know what my opinion was on the development and the zoning going on. I gave her my comments and told her I opposed it and kept on walking. But, as I walked I began to think about what this place would be like if we were to increase 50 families. I turned and went into the Palms, Phase II, and as I walked down the road I noticed that the infrastructure for a residential neighborhood was already there; everything is in place. They just need somebody to come in and invest. So, I come out and head toward Hwy.6 and as I head up toward Hwy. 6, I noticed the edge of the road is all broken up. It is eroding away to the ditch; it is a very hard place to walk and maintain your balance and watch out for traffic. So, as I am going along, I realize that another 50 families, there are going to be using the same thing. This is going to be a pedestrian causeway to the commercial complex, which is at Hwy. 6 and Irmo Drive. There is no way you are going to stop these people from walking up there. It is marginally safe now with no sidewalk. At the least, there should be a sidewalk, if nothing else, and a crossing at Hwy. 6 so people can access the facilities there at Murray Point. I was walking back, and I recalled Ms. Woodberry's tell of Elie (?) Outlaw who was her neighbor who sold to Phase I. He fought vehemently to keep that area from getting zoned R3 and they stopped it and Council agreed with him and the water plant went in instead of the multi-family housing that they had proposed for that time. And as I come back down and come back in and make the loop through the Palms, Phase I, I can see there is definitely some stress going on. The lots are up for sale, houses are for sale and, sure, people make bad investments. Rocky Point Phase II probably shouldn't have been started at the time that it did, but less not compound the problem that was created by allowing this R3 zoning to go through. Thank you.

Andrew West, 224 Rocky Point Dr., Columbia, SC 29212 - Good Evening. I live there with my wife, Radley and our eight-year-old daughter, Peyton. My family moved to Rocky Point in 1968. From then until now this has been a small tight-knit community of people who all know each other and watch out for each other. Rocky Point is also a very safe community. Since the neighborhood is stable, we know everyone immediately and recognize if a stranger comes into the area and because we had the privilege of allowing children to ride bikes up and down the point, we can walk our dogs at all times of the day or night, our older senior citizens and younger children could be trusted outside to play and walk because we know they are safe. That will all change if this rezoning is approved. Adding 56 new dwellings, statistically 196 new people will increase safety issues for all of the residents. We are concerned about transients' nature of the residents caused by turnover in population associated with high density dwellings such as what is being requested in the zoning change. We have embraced Palms I because it is also a neighborhood of single-family homes. Many of them walk on Rocky Point and have the same feelings of friendliness and safety. We are not against development. We would embrace Palms II with single-family homes like Palms I. The owners would be stable consistent neighborhood people that we would get to know and trust. But, if this rezoning is approved, it will increase the number of persons on the point by 200. It will take away the safety of the road in common areas. My wife walks my daughter to the bus stop each morning and we take quiet walks in the evening on a safe street. Rocky Point is a wonderful place and is very safe to raise a family as it is currently with single-family residences. However, requesting zoning change from single-family residents to R3, high density, multi-dwelling would make me less likely to walk my daughter to the bus stop or allow her to walk alone as she grows older. I will no longer feel that I can let my daughter walk the dogs up the street. Increased traffic and the constant unknown persons in the neighborhood will rob us of the safety factors that we have now. I respectfully

ask that you deny this request for rezoning. This will forever change our neighborhood and we will lose the safety and quality of life that now exists in our quiet community. Thank you for your time.

Carol Plexico, 234 Rocky Point Dr., Columbia, SC 29212 - My husband and I have resided there for 19 years. All of the residents on Rocky Point Drive are long-term residents. Some have lived there 40 plus years if you have heard already. I would also like to take this time to thank you for your service to Lexington County and allowing me and my neighbors to address this council meeting and expand on some of the comments made by my neighbors in opposition to this requested zoning change. This R3 zoning change requested for high density from single-family homes will forever change the quality of life of the residents on Rocky Point Drive and negatively impact the character of our neighborhood, which you have heard is very small. We bought our property here because of single-family homes and to escape the high density of the city, in fact, we left the city because of the escalating crime caused by transient population of multi-family dwellings. We simply did not feel safe in our own home. Our homes are our single largest investment. Of course, there is a huge emotional component tied to your home - sense of family, sense of community, sense of safety. Some of our neighbors are so upset about this requested change they cannot even speak to you today because they would emotionally breakdown because they are so tied to the values and the safety issues that I just spoke to you about. Among other things they are not comfortable about talking in a public forum such as this. This requested change from single family to R3 high density will not be an asset to our neighborhood. It will not be an asset to Lexington County. The requested zoning change for Palms II from 26 single-family homes to 14 quadriplexes as submitted in Zoning Map Amendment Application M11-05 would result in 56 apartments or homes at a minimal from an average of 81 to 176 people as you have heard already when there are only about 30 residents living on Rocky Point Drive and about the same number in Palms I. Also, there is no guarantee that this current plan, which has been submitted to you, will be built as the developers could sell the property and new owners could build anything that falls within the requirements for zoning R3, which was outlined in the PowerPoint you saw earlier. There are several multi-family high density complexes within close proximity with significant vacancies. They are located on properly classified roads which carry the increased traffic and areas conducive to higher numbers of people. This requested change in zoning is driven by the downturn in the economy and the housing market in general. That alone cannot be enough to meet the burden of proof that this applicant must meet to qualify for this amendment in zoning. I respectfully submit to you that this significant change in zoning from single family to R3 high density should not be approved for the benefit of the few and at the expense of the many in our neighborhood. Thank you very much.

Allen Wise, 205 Rocky Point Dr., Columbia, SC 29212 - My wife and family and I reside at 205 Rocky Point Dr. While I agree with the views of the other citizens who oppose this change, I will limit my discussion to the property value issues. As a neighboring property owner, I have witnessed the development of Phase I and Phase II at the Palms over the last few years. The plan for 29 single-family homes of Phase I seemed to have started off well while the real estate market was booming. During this time, the developer purchased the property for Phase II and planned 26 single-family homes similar to Phase I. Currently, almost half of the lots in Phase I remain undeveloped and none of the lots in Phase II are developed. Apparently, the purchasing public does not view the Phase II property as a good value in today's real estate market reality. It appears to me that this request for a spot- zoning classification change by the developer and then the associated propose construction of multi-unit dwellings is an attempt to somehow quick fix the real estate business venture that has become over extended in this latest economic recession. Given our current economic climate, I have serious concerns as to whether the proposed rezoned Phase II property and the multi-unit dwellings shown in the developer's preliminary plan can be successfully marketed against similar already existing properties at the Village at Lake

Murray Landing, at the Yacht Cove, and the list goes on. All these properties are nearby and have numerous properties for sale currently. As such, I am deeply concerned that the rezoning request is also an attempt to market this property to another development company. A future developer could acquire this rezoned Phase II property and then construct any type of high density dwellings allowed by the R3 classification. Given the existing zoning and character of the Rocky Point neighborhood, it is an obvious conclusion that this rezoning of this parcel to R3 would result in a significant long-term negative impact on surrounding property values outweighing any short-term tax revenue gain. Our focus needs to be kept on the development of truly beneficial long-term assets within our community and county. I failed to see how this proposed zoning change would be beneficial in the short-term or long-term to improving or creating a genuine asset within the existing Rocky Point community or in Lexington County in general. It is apparent that this rezoning request is based on the developer's overextended business venture. Everyone in the room can grasp this. If the rezoning request is approved, the only persons who will benefit from this change are the current or any future developers. The remaining property owners, most of us who have lived there in excess of ten years, will be the ones paying the price. I thank you again for your attention, and I ask you to deny the request for the rezoning change.

Radley West, 224 Rock Point Dr. Columbia, SC 29212 - I have nothing further to add.

John Priestino, 1342 Farming Creek Rd., Columba, SC 29063 - Good.

Willette Wise, 205 Rocky Point Dr., Columbia, SC 29212 - Good.

Anne Page, 1244 Steeple Ridge Rd., Columbia, SC 29212 - Good.

Joe Adkins, 414 Sago Palm Dr., Columbia, SC 29212 - Good.

Ann Gunning, 156 Rocky Point Dr., Columbia, SC 29212 - Good.

Caroline Sojourner, 313 Old Wood Dr., Columbia, SC 29212 - Good.

Fred Sojourner, 313 Old Wood Dr., Columbia, SC 29212 - I'm good.

Charles Crosby, 225 Palm Lake Dr., Columbia, SC 29212 - Good.

Dan Robbins, 225 Palm Lake Dr., Columbia, SC 29212 - Good.

William D. Miles, 231 Rocky Point Dr., Columbia, SC 29212 - I have nothing to add.

Edward E. Bailey, Jr., 209 Rocky Point Dr., Columbia, SC 29212 - I'm good.

Mr. Banning announced if anyone had anything to add, they could submit it to the Clerk to Council by 5:00 p.m., Friday, January 27.

Mr. Banning closed the public hearing to those in opposition.

Mr. Banning opened the public hearing to those in favor.

Councilman Keisler left to attend a prior commitment.

In Favor:

David F. Plyler, 1210 Elletts Rd., Columbia, SC 29002 - Left prior to speaking.

Susan Plyler, 1210 Elletts Rd., Columbia, SC 29002 - Left prior to speaking.

Judy Wrenn, 105 Libby Ln., Ballentine, SC 29002 - I own Lot 13 in Phase I of the Palms. I am not opposed to this rezoning because I know Juanita very well and John and I know that they would not put anything substandard across from the lots that they still have for sale. I would not be investing almost a half million dollars in a house if I thought this was going to happen. I know that they are going to put townhouses in there, very luxury townhouses. Eddie and Dan, my neighbors across the street, came over Friday and brought me a letter and it was sealed and I did not read it until I got home, and I called Juanita because it was very disturbing. It said they were going to put cheap apartments on this property. She said that was not true; they are going to put very exclusive townhouses. Well, I went to the meeting on Sunday afternoon at 2 o'clock at the Plexico's home. When I got out of the car, Mr. Plexico approached me and asked me to sign a petition against this. I said, no, I am not signing that because this letter is a lot of untruths. Well, he started yelling at me and told me I was not invited to the meeting. I said I've got the invitation right here, I was invited. He said, "Get off my property immediately and you cannot go into my home." He started yelling at me and I said I was a property owner. He said, "No, you are not." Well luckily my neighbor two doors down walked up at this time and he said, "Mr. Plexico, stop talking to her in this manner, you do not have the right to talk to her this way." And he said, "Mr. Plexico you are a very mean man" and he said in view of all this fiasco, I will not attend this meeting either and he walked me off the property. It was a very, very bad experience. He was very rude to me. Thank you.

Caroline M. Connelly, 308 Silver Palm Dr., Columbia, SC 29212 - I have been asked to read a letter by Paula Finley who recently underwent surgery and was not well enough to come and read the letter. Dear Mr. Jeffcoat, it has been brought to my attention that County Council will discuss a possible zoning change on Tuesday evening, January 24, 2012 for the Palms at Rocky Point located on Lake Murray off Hwy. 6 and Rocky Point Road. I own one of the first homes built in the Palms at Rocky Point which makes it a critically important subject to me. It is a beautiful single-family home that anyone would be proud to live in. For the past seven years, I have been a part of the evolution of the Palms. As you know, unfortunately, many of those years have been very difficult in regard to the economy and specifically the housing market. Throughout that time, the homeowners and developers have continued to push forward to make the Palms at Rocky Point a great community. Amenities have been developed to include a common boat ramp, a common dock, a pool, a clubhouse, boat storage, and extra parking. Beautiful landscaping and lighting have pleased homeowners and visitors alike. Due to the economic times, Phase II was delayed. I am very excited to say that the time has come for that to move forward. This is a current proposal being considered to build individually owned townhomes in Phase II. As a homeowner, I whole heartedly endorse the idea. Living the day-to-day realities of the current economic situation in our country and entering retirement has made me think very differently. In my opinion, these townhomes will provide more varied and variable opportunities to the citizens of Lexington County. During my work with the homeowners and developers over the past seven years, I have seen many people make sacrifices to ensure that the quality of the homes and community of the Palms at Rocky Point would not be compromised. Many of those same individuals will be involved in the development of Phase II. I have every confidence the same level of quality is planned and will be delivered in the new endeavor. Thank you very much for your time and attention to this most important matter and please help the citizens of this great county achieve the options they deserve. Sincerely, Paula B. Finley. And, I would agree to what she has to say. Thank you.

Rita Sholosky, 300 Silver Palm Dr., Columbia, SC 29212 - I have nothing to add.

Ronnie Connelly, 308 Silver Palm Dr., Columbia, SC 29212- I am good.

Richard Still, 3960 Caesars Rd., Columbia, SC 29212 - I am familiar with Rocky Point. I have been there and Juanita Wright is a personal friend of mine. And knowing her as I do, I can promise you that she would never put anything in any area that she would not be pleased with herself. As a matter of fact, this morning we were talking and I said I have one question for you and she said what is it? I said, "In this development would you put anything there that you would not reside in yourself? And she said, no." And with that in mind I support her whole heartedly. When I came in this evening, I signed, I think a sheet that I didn't realize I was signing and will be more careful in the future because I don't have any notes and I had not planned to speak with you. But, I had the opportunity when I lived in Chicago to live in a townhome and it was four units each and they were nice townhomes, and I can tell you that this was a great experience on my part. And, like probably many of you, I really don't like apartment complexes. I sort of consider them to be beehives. But, this townhome turned out to be one of the best experiences I have had. And, so I would support anyone living in a townhome, in particularly a luxury townhome. As I look at what their plans are for this particular project, I can only see that it is going to be good for Lexington County. In that, you are going to have more revenue because these are going to be luxury townhomes and there are more taxes, so that is going to bring in revenue to Lexington County. It is going to increase the values of other residences in the neighborhood, so all I can see that this is a win-win situation for all of you. Thank you.

Juanita Wright, 130 Haywain Dr., Chapin, SC 29036 - Chairman Banning and Council members thank you so much for giving us the opportunity to address you tonight. I know it has been rather lengthy and we do appreciate your cooperation with us. For the past ten years, I have been in the building and development at the Palms at Rocky Point, both for Phase I and Phase II. Tonight I am asking for a zone change for Phase II from D to R3. I am one of the managing members of both Phase I and Phase II and one of the managing members of the Palms at Rocky Point Homeowners' Association. I believe that I have proved myself to be a truthful and honest person in these positions. I have always provided what I have promised when possible. Phase I was promised a pool, club house, and a boat storage. It took a bit of work, but it was done and it was finished, yielding a product the entire neighborhood is proud of. This was in spite of the fact that Phase II had no houses built or sold. We even provided water and sewer taps as good neighbors for the rest of Rocky Point Road. We have suffered greatly because of the global economic conditions. This is primarily the reason for my asking for this zoning change. Sales of the homes of the type in Phase I have virtually been nonexistent since the recession. We need to rethink how to do building at least for a while. The zoning request will allow the building of smaller, more saleable homes that still remain elegant and consistent with the concept of the Palms at Rocky Point. They will continue to be in congruency with Phase I and also go under the architectural review of Phase I. If successful in this zoning request, hopefully, we can encourage building programs that will provide much needed jobs to a lot of people whose lives have been devastated by this recession. New housing would provide Lexington County a better tax base benefiting the entire county. We have reduced lot and house prices but to no avail. The current and future residences of Phase I would benefit from a multi-modal community much like those seen in larger and nicer communities in the Lexington, Columbia, Irmo areas. Homeowners' Association dues could be reduced benefiting all. The sum of the investments of Phase II has a lot of us trying to make it work. If it is lost, who knows who will take over the place of Phase II? There have been neighborhood meetings that have not been fair and have spread untruths about this zoning request and our plans. I have asked to speak at these groups to clear up misconceptions but was

refused any opportunity to do so. We have also opened up our neighborhood to all of the people on Rocky Point Road. They use our neighborhood to walk, to ride their bicycles, and walk their dogs. This rezoning was discussed at a possibility with a HOA at the last annual meeting of February 2011 and no one objected at that time. With regard to the plans of the rezoning request approved, the townhomes proposed would be architecturally congruent with the homes in Phase I and very complimentary to Rocky Point Road in general. All things considered, I think this rezoning is a win-win proposal for all concerned. Lexington County, the neighbors of Rocky Point Road, and in Phase I, as well as the local economy. Please consider this rezoning request very carefully. Thank you.

Paula Finley, 312 Lake Front Dr., Columbia, SC 29212 - Ms. Caroline Connelly read her letter.

Keith Finley, 312 Lake Front Dr., Columbia, SC 29212 - Left prior to speaking.

Harry M. Jeter, 1429 Waterwood Dr., Columbia, SC 29212 - Good.

Ben Wright, 130 Haywain Dr., Chapin, SC 29036 - Ok.

Tim Brown, 236 Rodborough Rd., Columbia, SC 29212 - Ok.

Laura Mitchell, 117 Springhaven Dr., Columbia, SC 29210 - I concur.

Wayne Mitchell, 117 Springhaven Dr., Columbia, SC 29210 - I favor rezoning.

Ann Spire, 113 W. Circle Dr., Lexington, SC 29072 - I concur.

Victoria Hollins, 20 Heathwood Circle, Columbia, SC 29205 - I had not planned to speak, but I appreciate your opportunity to allow me to speak. I am here basically to support Juanita Wright and to her creditability. I know her personally; I am a friend of hers. The one thing that I ask is that I feel that it is important that understand or that you know that there has been a personal witch hunt and an unprofessional manner which I think a lot of these individual homeowners and family members have chosen to handle them self, and I just wanted the opportunity to tell you that. Because I think there is a lot of things that you are not aware of that has been going on behind the scenes, and I just wanted the opportunity to say that I stand here in 150 percent of Juanita Wright and her creditability. Thank you.

Mr. Banning announced if anyone had anything to add, they could submit it to the Clerk to Council by 5:00 p.m., Friday, January 27.

John Cantwell, 172 Roselake Dr., Lexington, SC 29072 - I am one of the managing members, Ms. Wright and myself, of the Palms at Rocky Point and have been such for seven and one-half years. My portion is basically to do the construction including the water, sewer, streets, and curbing, everything that you see – that was my job. I feel like I can answer Mr. Cullum's question, if you would like to ask me when I finish my little bit of a presentation. Reading this letter, to be quite frankly, I was appalled. It starts off with number one that the neighbors of Rocky Point have visited the office of the zoning committee for Lexington County and discovered that Ms. Wright is planning on building many cheap apartment buildings on what is now Phase II. If I lived in the Palms of Rocky Point and I got a letter like this, I would be extremely upset. This gives validity to Victoria, the witch hunt that she mentioned. Unfortunately, a very, very part of what is going on. The people that are here all live on Rocky Point Drive with the exception of the Belchers. They have presented their road and street as a utopia, if you

would. And to be quite frankly with you, it is a major eyesore. I respectfully submit to you that the people that live there, I have no problem with the housing, the mobile homes, or anything else, but I do have a problem with the way it is maintained. There are cars; there are no restrictions, whatsoever on Palm Lake Drive, or Rocky Point Drive. They come and go as they please. They park campers, boats, jet skis, trailers, mobile homes, everything that you can see. Evidence by the pictures, they don't tell any lies about what it looks like and again, I used to cringe when people were looking at our development hoping they would not ride down the other end of the street. But, be that as it may, I don't have a clue why they are objecting to what we are doing. We are asking to put in \$250,000 townhomes that would far, far surpass any home down there as far as value is concerned. How they can stand up here and tell you that it is devaluing their property is really beyond me. It is just absolutely false. The first comment in the first paragraph about the cheap apartment buildings is totally false. It is not going to decrease the value of the homes. If you look at – we have an approval for 25 homes, another misconception. If you take that 25 away from the 56, you are not putting in an additional 200 people or whatever they are coming up with the averages that they presented to you, at least by my math. Phase I of our community is absolute beautiful. We put a \$480,000 brick wall around the community. The people that live further down the street walk in our community all the time. They walk the dogs; they poop all over the yards; our neighbors complain. I have to tell them or Ms. Wright has to call them asking them to please not do it. We get cursed out by them if they ever say anything. I drove up today, today to the Palms at Rocky Point and Mr. Plexico was standing in the yard; I didn't even know who he was. I said, "Sir, may I help you? And he said, you can't help me." He had a tape measure measuring the street. He said, "Who are you to think you can help me? I said I am the developer." He said, yea, I want to take your picture. I am so frustrated with the things that have been said here tonight and most of them are just absolutely untruth. Referring to a letter he said they kept saying devaluing of their property values. The average price home in Rocky Point is approximately \$350,000. The townhomes are going to be \$250,000. When you multiply 56 times \$250,000 you get \$14 million worth of real estate coming into the development. I don't know how that cannot help Lexington County and their property values. If you multiple the 25 by the \$350,000 you will get \$9 million. It is a \$5 million difference in favor of building the townhomes. This land has basically sat for almost five years. I hate it, but it is because of the economy. My partner mentioned briefly the jobs, etc. and stuff that it would bring to the community and also it is going to benefit the people that live there because it is activity and it is not raw land anymore. We will not, the same thing that you see, and I brought pictures of our development and pass to you also, this is what kind of stuff we are going to put in there with the townhomes. It is not going to be absolute junk. Thank you for your time and consideration.

Again, Mr. Banning asked if anyone had anything to add, to send it to the Clerk to Council before Friday, January 27.

No one else had signed up; therefore, Mr. Banning closed the public hearing.

Ordinance 11-22 - An Ordinance Adopting Supplemental Appropriation to Not Exceed Eight Million (\$8,000,000) Dollars - Mr. Banning opened the public hearing.

Mr. Chuck Whipple, Director of Economic Development gave a brief presentation of Ordinance 11-22. In December 2006, you authorized the issuance of \$13 million in bonds in support of the Saxe Gotha Industrial Park which included the acquisition of land, development of infrastructure, mainly roads, water and sewer. Today, result of that investment, we have three projects that have developed or are in the process of being developed. SCANA is developing multiple facilities with an investment of \$35 million. Amazon, a fulfillment center, will invest \$125 million and create over 2,000 jobs. Nephron

Pharmaceuticals will invest \$313 million and create 707 jobs in Phase I. To date that is an aggregate investment of \$473 million in taxable property with a combined creation of 2,700 jobs. We have two tracts remaining in this industrial parks and both of these tracts are on the consideration by projects. By the end of the year, Saxe Gotha could be completely full. In order to be competitive in the economic development arena, it is imperative that a community have several ready products. By that I mean, able to start construction immediately by the company. The development process for an industrial or technology park takes between 36 and 48 months to complete. A development park in the Chapin corridor has been part of our long-term strategic plan. The public hearing tonight allows us to appropriate funding needed to develop such a park in that corridor so that economic activity similar to the level cited above in the Saxe Gotha Industrial Park can occur. Thank you.

In Opposition:

Summer Solum - I guess the points that I have to make mostly, I guess is a question - why Chapin? Unless things have changed, I don't think Chapin actually needs economic development. My understanding is that most of the people that live over in Chapin are fairly well-off, and I don't why it needs to go over there. It is also far away from the interstate, the UPS and Fed-Ex hubs, and the airport. So, I am wondering why that it is in Chapin. The land over there is far more expensive than it is in other areas of Lexington County, so, I am wondering why Chapin. Can it not be in one of the other areas that are closer to these areas that are important for industry and that could be beneficial to areas that actually need economic development and who need the opportunity and need the employment, and need the income? So, I guess that was my question because I missed on how this was decided on where to put it. Also, would like to make another point - I keep hearing about free money. When you get stuff, it is not free money. It either comes from our wallets from the federal government or it comes from fees and licenses that business owners pass onto us, and so there is no such thing as free money. So, if you would please adjust your thinking; there is no such thing as free money. Thank you.

William and Joann Gebrosky, 236 Gary Hallman, Leesville, SC 29070 - They left prior to the public hearing.

Susan Jones, 1441 Old Chapin Rd., Lexington, SC 29072 - I would like for you to vote no on this. I don't see that it is an emergency. My concern is that it is up in Chapin. The traffic on I-26 is horrible right now especially coming around Harbison and the interchange between I-26 and I-20 is a mess. If you are going to put an industrial park up there, you are going to get a lot more truck traffic, which I think could be more of a hazard. So, I would like for you to vote no, please. Thank you.

Carl Jordan, 145 Willow Dr., Lexington, SC 29072 - I want to start off really telling you why this group is here, and we have to read about it each time we come here to remind ourselves with a quote by Andrew Jackson that says, "but you must remember my fellow citizens that internal vigilance by the people is a price of liberty. It behooves you, therefore, to be watchful in your states as well as in the government." The reason I am opposing this \$8 million is, frankly, I just don't have enough information on it. Like, I asked for something about two weeks ago and the only information we have is the same thing that is in the packet this time was the same thing two weeks ago. Mr. Whipple gave us one or two points, but I just want to request from you to give us more information and be more forthcoming with this information. We are not here on any one personal item. We believe in limited government, and we believe in preserving our liberties and freedom; that is what we are about. We don't have any specific axes to grind on anything. But, I just say if you can be more transparent with us and tell us what is going on, we realize it in your executive sessions, you have to do some of that and we hope that you are complying with the Freedom of Information Act, cause we aren't in there to see what you are talking

about. It would be helpful, I think, like on this item, \$8 million, because it is increasing the budget by about 8%. If sometimes we ask question(s), may you can get a staff person to brief us or something like that; that would help us out. If you really want to understand where we come from this is kind of our bible of our people –*The 5,000 Year Leap, the Principles of Freedom*. So, if you ever want to learn more about this, let me know and I will get you the book. Thank you

Ann Behnke, 15 Mallard Shores Place, Lexington, SC 29072 - I have a couple comments on this ordinance. This is the exact same thing that we saw two weeks when you voted on it the second time around. It has no new information included in it. When we talked to you about it two weeks ago, we wanted to know where this money is coming from. We still don't know. We had some comments where they thought it was coming from, but we still don't where this money is coming from. I find out today that it is from Chapin; it is not explained in this ordinance. There is nothing in here except that you want more money to buy land for something. People of this county when they go up and look in the agenda and they look at these ordinances there is no explanation of what's this is all about. Why isn't this money in your budget? Why is this outside the budget? How come all of a sudden it comes up? The first reading there was no mention of \$8 million in the title. It slipped right by us; we had no idea. The first time we heard about it was two weeks ago; still no information. I think you need to vote this down. You can't vote on it tonight. You need to vote on it the next County Council meeting. We would like to see more information. We don't have a good feeling. We don't feel like you are being transparent and it just makes up feel like – y'all think we are just a bunch of peons. You sit up there is your high dais, and you act arrogant, and you look down on us. We pay your salaries. You all work for us and we often think that is not how you feel. We have Councilmen come up to us and say "where were you three years ago, five years when we talked about \$13 million." Excuse me, I am here today. It really upsets me that people, who work for us, treat us like peons and I would appreciate it if you remember that the taxpayers, you work for us, we don't work for you and we deserve a little bit more respect. Thank you.

Diana Budzichowski, 401 Lydgate Rd., Columbia, SC 29210 - My representative is Brad Matthews. I live in the Whitehall subdivision, which has been around forever, 1250 homes. I have lived there for 25 years. My home value is going down and taxes are going up. As everything is in the world today as we know. So, this \$8 million, I assumed, was a surplus that you have this money and you needed something to spend it on and so, I have gotten a little upset about that and just need to know the particulars of what is so important. My first response, of course, is transparency, which has been spoken about. But, I primarily oppose this and want to know if you have this money, why won't my taxes go down in this type of environment and if my taxes go down, I promise all of you will be re-elected.

David Whetsell, 171 Cannon Trail Rd., Lexington, SC 29073 - I am against spending the \$8 million for anything right now because we are basically in a down economy with hard times. There are a lot of people without jobs. It is just too bad just to spend money. But, what I really worry about is that I heard through the grapevine that this \$8 million was "free money" and the taxpayers aren't paying it because most of this money is coming from the property taxes that the power companies are paying. That's not free money because I promise you here are more ratepayers than taxpayers in South Carolina than anywhere else in the country. So, it is not anything as free money. And, as you know, the power companies are a monopoly so everything they pay out goes straight through and it goes straight to the ratepayer; they don't pay anything. I was really made when they talked about property taxes a couple of months ago and how SCANA was such a great citizen for paying the property taxes. I am sorry, but those stockholders didn't pay doodly squat. All they did was pass it through to the ratepayers. Then another thing about picking Chapin – I think you are trying to compete with Orangeburg County. Orangeburg County has gotten the biggest joke in the state on economic development. Have you ever heard of an

inland port with no barges or no ships? They are putting an inland port, Jasper is, what they said in 2007 they were going to put it in but it is going to be on railroad cars. I never heard of an inland port I still think they are the biggest joke in the world. But, I don't think that we should spend this \$8 million at this time.

Nicole Quinn, 425 Kyzer Rd., Lexington, SC 29073 - Earlier it was mentioned this evening that we have a lot of people who are suffering economically. Foreclosures, people who can't afford to wash their cars, people who can't afford to cut their lawns so it baffles me that if the state of our county is so bad that we have to consider addressing how we are going to correct these problems because people can't afford to do things and we are going to spend \$8 million. It seems pretty contradictory to me. Also, I do not believe in public partnerships at all. We support less government. We have had a lot of government and increasingly have given more power to the governments locally, statewide, and federally and it is not working so we need to go the opposite direction. So, public partnerships do not solve the problem and they violate equality under the law. So, I don't know where this money is coming from, and I don't care about the location, I care about the fact that we shouldn't be spending \$8 million to begin with regardless for what kind of public partnership it is. Thank you.

Talbert Black, Jr., 234 Hermitage Rd., Lexington, SC 29072 - I really wasn't going to say anything, but I agree, but I heard a couple of things that need to be addressed, I think. I know that all of you are thinking of this \$8 million as an investment in the future and that it will bring more economic development into the county. And if it were in like a place like the City of Lexington or near the airport or around UPS or Amazon, that might be true, but it is in Chapin. I work in Williston, in Barnwell County, and they built an economic industrial park that was really pretty out in the middle of nowhere, don't know how much money they spent on it, but it was really nice and they built it more than ten years ago and it is still empty. Not a single company has moved into it. So this idea of, if you build it, they will come just doesn't work, especially when it is out in the middle of nowhere as far as industrial things go. I heard Mr. Whipple say earlier that in order to be competitive, economically we need to have ready to build places for companies to come into. But, I suggest to you that, that is not correct. If you want to be competitive economically, you need a lower tax structure for everybody; not just the big companies who are coming in. Then you will see the small businesses that are already here flourish. You will see them expand and hire more people and as you know our small businesses hire way more people than our large companies that come in, in the aggregate. So I encourage you to vote no against this \$8 million for an industrial park in Chapin and remember in order to make Lexington County competitive economically, give us lower taxes not higher. Thank you.

Mr. Banning reminded anyone that had anything else they wanted to present to Council to be sure to submit it to the Clerk to Council by Friday, January 27.

Mr. Banning closed the public hearing.

Executive Session - Mr. Jeffcoat made a motion, seconded by Ms. Summer to go back into executive session to continue discussions on three legal matters.

In Favor:	Mr. Banning	Mr. Jeffcoat
	Ms. Summers	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Mr. Matthews	Mr. Cullum

Not Present: Mr. Keisler

Matters Requiring a Vote as a Result of Executive Session - Mr. Banning reported as a result of Executive Session there were not motions to be considered.

Motion to Adjourn - Mr. Kinard made a motion, seconded by Ms. Summers to adjourn.

In Favor:	Mr. Banning	Mr. Kinard
	Ms. Summers	Mr. Townsend
	Mr. Davis	Mr. Jeffcoat
	Mr. Matthews	Mr. Cullum

Not Present: Mr. Keisler

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman